

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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SUSAN Q. ATTENDORN,

Plaintiff,

-v-

1:12-CV-5

COMMISSIONER OF SOCIAL SECURITY,

Defendant.  
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APPEARANCES:

BINDER & BINDER  
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New York, NY 10165

OFFICE OF GENERAL COUNSEL  
Social Security Administration  
Region II  
Attorneys for Defendant  
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New York, NY 10278

DAVID N. HURD  
United States District Judge

OF COUNSEL:

CHARLES E. BINDER, ESQ.

ELIZABETH D. ROTHSTEIN, ESQ.

**DECISION and ORDER**

Plaintiff Susan Q. Attendorn filed this action seeking judicial review of a final decision of the Commissioner of Social Security which found her not disabled. By Report-Recommendation dated November 2, 2012, the Honorable Andrew T. Baxter, United States Magistrate Judge, recommended that the Commissioner's decision be affirmed and the

complaint be dismissed in its entirety. Plaintiff filed timely objections to the Report-Recommendation and defendant responded.

Based upon a de novo determination of the portions of the Report-Recommendation to which plaintiff objected, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. § 636(b)(1).

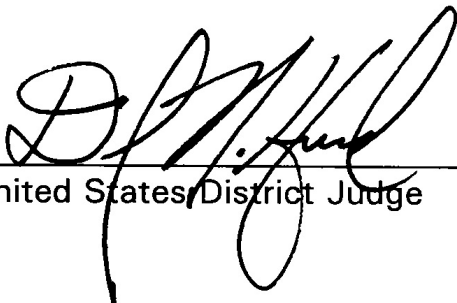
Accordingly, it is

ORDERED that

1. The Commissioner's decision is AFFIRMED; and
2. Plaintiff's complaint is DISMISSED in its entirety.

The Clerk is directed to file a judgment accordingly.

IT IS SO ORDERED.



United States District Judge

Dated: December 21, 2012  
Utica, New York.